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Garrett Runnels

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

WESLEY EISOLD, an individual,

Plaintiff,

vs.

CODY GARRETT RUNNELS, an
individual, WORLD WRESTLING
ENTERTAINMENT, LLC, a limited
liability company; and FANATICS,
LLC., a limited liability company,

Defendants.

Case No. 2:24-cv-07516-AB-MAR

**DEFENDANT CODY GARRETT
RUNNELS' NOTICE OF JOINDER
AND JOINDER IN WORLD
WRESTLING ENTERTAINMENT,
LLC AND FANATICS, LLC'S
MOTION TO DISMISS COUNTS II-V
OF PLAINTIFF'S SECOND
AMENDED COMPLAINT PURSUANT
TO FED. R. CIV. P. 12(B)(6)**

HEARING

DATE: Aug. 8, 2025

TIME: 10:00 A.M.

Courtroom: 7B

Judge: Hon. André Birotte Jr.

TO ALL PARTES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE THAT, Defendant Cody Garrett Runnels ("Runnels")
hereby joins and adopts the grounds for dismissal and supporting arguments set forth
in the Motion of Defendants World Wrestling Entertainment, LLC and Fanatics, LLC

**Defendant Runnels' Joinder to Defendants World Wrestling Entertainment, LLC and Fanatics, LLC's Motion
to Dismiss Counts II-V of Plaintiff's First Amended Complaint (2:24-CV-07516-AB-MAR)**

1 to Dismiss Counts II-V of Plaintiff Wesley Eisold's ("Plaintiff") First Amended
2 Complaint pursuant to Fed. R. Civ. P. 12(b)(6) ("Other Defendants' Motion").

3 The Other Defendants' Motion is scheduled to be heard on August 8, 2025, at
4 10:00 a.m., or as soon thereafter as this matter may be heard before the Honorable
5 André Birotte Jr. in Courtroom 7B, located at the U.S. District Court for the Central
6 District of California at 350 West First Street, Los Angeles, California 90012. Runnels
7 has concurrently filed his own Motion to Dismiss Count I of Plaintiff's First Amended
8 Complaint ("Runnels' Motion") which is scheduled to be heard on the same date and
9 time, and in the same location, as the Other Defendants' Motion.

10 Specifically, in addition to submitting and relying on the Runnels' Motion,
11 Runnels joins in and adopts all of the arguments, authorities and reasoning in support
12 of the arguments in the Other Defendants' Motion that (i) Plaintiff fails to point to any
13 facts sufficient to allege the March 14, 2021 Settlement and Coexistence Agreement
14 by and between Runnels and Plaintiff (the "Agreement") was breached (Part IV.A.1);
15 (ii) Plaintiff fails to state a claim against Defendants for Federal Trademark
16 Infringement under 15 U.S.C. § 1114 and California Common Law because any
17 purported use of the "AMERICAN NIGHTMARE" trademark by Defendants was
18 authorized by, and in compliance with, the plain terms of the Agreement (Part IV.C.);
19 and (iii) Plaintiff fails to state a claim under Section 17200, et seq. of the California
20 Business & Professional Code ("UCL"). The UCL only provides for equitable relief
21 where a plaintiff has no adequate remedy at law. However, Plaintiff fails to allege that
22 the inducement and intentional interference claims (the only claims Plaintiff contends
23 form the basis for a UCL violation by WWE and Fanatics) do not provide an adequate
24 remedy at law. Additionally, Plaintiff's claims under each individual UCL prong also
25 fail because (a) common law violations are, on their own, insufficient to establish a
26 violation of the UCL's "unlawful" prong; (b) Plaintiff does not identify any antitrust
27

1 law – or any policy or spirit of such a law – that WWE and Fanatics’ conduct violates,
2 as is required under the UCL’s “unfair” prong; and (c) Plaintiff does not allege any
3 facts against WWE and Fanatics that satisfy the heightened pleading standard for fraud,
4 as required under the UCL’s “fraudulent” prong (Part IV.D.). Runnels also joins in and
5 adopts Part I (Introduction and Background) and Part II (Legal Standard Governing
6 Dismissal) of the Other Defendants’ Motion. All of these arguments and grounds for
7 dismissal filed in support of the Moving Defendants’ motion are applicable to Runnels.
8 Runnels seeks the same relief for himself based on the Other Defendants’ Motion,
9 namely, that the Court dismiss from this action Counts IV and V against him. Runnels
10 also relies on the Other Defendants’ Motion with respect to his arguments in the
11 Runnels’ Motion to dismiss Count I.

12 Runnels’ Joinder in the Other Defendants’ Motion is based on this Notice of
13 Joinder and Joinder; all documents submitted in support of the Other Defendants’
14 Motion, including the Notice of Motion, the Memorandum of Points and Authorities
15 and Request for Judicial Notice, and all pleadings, papers and records of this action;
16 and such written, documentary and/or oral arguments and authorities as may be
17 presented by Runnels or the Other Defendants in support of the Runnels’ Motion and/or
18 the Other Defendants’ Motion, including in reply to any oppositions to those Motions
19 and/or at the hearing on those Motions.

20 This motion follows a conference of counsel under Local Rule 7-3 on July 9,
21 2025.

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23 DATED: July 11, 2025

Respectfully submitted,

24 **JAYARAM PLLC**

25 By: /s/ Vivek Jayaram

26 Vivek Jayaram
27

28 **Defendant Runnels’ Joinder to Defendants World Wrestling Entertainment, LLC and Fanatics, LLC’s Motion
to Dismiss Counts II-V of Plaintiff’s First Amended Complaint (2:24-CV-07516-AB-MAR)**

DONIGER / BURROUGHS

By: /s/ Scott Alan Burroughs
Scott Alan Burroughs

**ATTORNEYS FOR DEFENDANT
CODY GARRETT RUNNELS**